

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

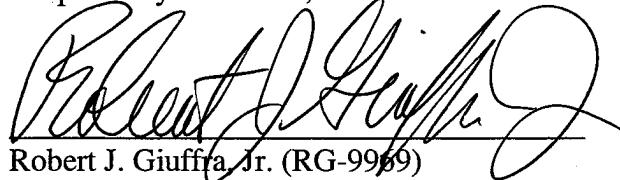
**NOTICE OF MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the Amended Complaint, the accompanying Memorandum of Law in Support of Defendant Vornado Realty Trust's Motion to Dismiss and the memoranda and affidavits filed concurrently herewith by the other defendants to this action in support of their motions to dismiss, Vornado Realty Trust will move this Court, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, before the Honorable Barbara S. Jones, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a time

and place to be determined by the Court, for an Order dismissing plaintiff's complaint in its entirety, and for such further and other relief that the Court may deem just and proper.

Dated: New York, New York  
April 24, 2009

Respectfully submitted,



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